IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 13TH DECEMBER 2007 / 22ND AGRAHAYANA 1929

WP(C).No. 35215 of 2007(P)

PETITIONER:

ANTONY, AGED 35, S/O.OUSEPH,
PARAYIL HOUSE, MUVATTUPUZHA VILLAGE
MOOVATUPUZHA TALUK, ERNAKULAM DISTRICT.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS:
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1. **THE STATE OF KERALA REPRESENTED BY THE SECRETARY TO THE GOVERNMENT, REVENUE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**

2. **THE DIRECTOR OF SURVEY AND LAND RECORDS, THIRUVANANTHAPURAM.**

3. **THE DISTRICT COLLECTOR, IDUKKI.**

4. **THE ASSISTANT DIRECTOR, RE SURVEY OFFICE THODUPUZHA.**

5. **THE SURVEY SUPERINTENDENT, THODUPUZHA.**

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 35215 OF 2007 P
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Dated this the 13th day of December, 2007

J U D G M E N T

Relying on Ext.P1 title deed, petitioner submits that an extent of 14.52 acres of land in Re.Sy Nos.606/1-24, 603/0-249, 607/1-39 and 607/1-4 of the Kudayathoor Village in Thodupuzha Taluk in Idukki District is in his absolute ownership. However, the petitioner submits that following the resurvey that was conducted, there were certain erroneous entries in the survey records in respect of the property covered by Ext.P1 title deed. Petitioner is also referring to Ext.P2 to contend that he has been paying land tax in respect of the land mentioned above.

2. In order to get the erroneous entry in survey records corrected, petitioner submitted Ext.P3 application to the 4th respondent, which is stated to have been forwarded to the 5th respondent for taking necessary action on Ext.P3. It is submitted that thereafter there has been no progress in the matter and therefore petitioner made another application to the 5th respondent and that is produced as Ext.P5 dated 14/6/04. The

complaint of the petitioner is that even inspite of all this, there has not been any progress in the matter.

Now that Ext.P1 document shows that the petitioner is the title holder of the land in question, the petitioner is definitely justified in making Exts. P3 and P5 applications, as according to him, there were certain erroneous entires in the survey records. Having received Exts. P3 and P5, the 5th respondent ought to have conducted necessary enquiry into the complaint of the petitioner and if necessary, on verification of the old survey records as well. This has not been done and therefore, I dispose of this writ petition directing that the 5th respondent shall complete the enquiry sought for by the petitioner in Exts. P3 and P5, with notice to the petitioner and with notice to anybody who is likely to be affected, as expeditiously as possible, at any rate within four weeks of receipt of a copy of this judgment.

ANTONY DOMINIC, JUDGE.

Rp